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10/597,051

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Wilhelm Bringewatt

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EXAMINER

STINSON, FRANKIE L

ART UNIT

PAPER NUMBER

1792

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,051	<b>Applicant(s)</b> BRINGEWATT ET AL.	
	<b>Examiner</b> FRANKIE L. STINSON	<b>Art Unit</b> 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Ryder (U. S. Pat. No. 2,506,280) or Reeve (U. S. Pat. No. 504,246) in view of either Johnson (U. S. Pat. No. 2,165,487) or Germany'075 (Germany 1 642 075)

Re claim 1, Ryder and Reeve are each cited disclosing a device for wet treatment of laundry, comprising an inner drum (4 in Ryder and "b" in Reeve) having a single front-end opening and wherein:

the inner drum is rotationally driven about a rotation axis (as at 40 in Ryder and as at "c" in Reeve) and can pivot about at least one pivot axis (as at 24 in Ryder and as at "e" in Reeve) extending transversely with respect to the rotation axis;

the inner drum receives the laundry that is to be treated, and  
during loading of the inner drum with laundry, the rotation axis of the

inner drum is inclined maximally relative to the perpendicular to such  
an extent that the laundry or other items loaded into the inner drum  
for the most part reach a bottom area of the inner drum lying opposite  
the opening that differs from the claim only in the specific recitation of a door.  
Johnson (as at 55, 56) and Germany'075 (as at 18) are each cited disclosing a door

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assigned where appropriate to an opening as claimed. It therefore would have been obvious to one having ordinary skill in the art, with predictable results, to modify the system/arrangement of either Ryder or Reeve, to include a door as taught by either Johnson or Germany'075, with no change in their respective function, for the purpose of ensuring that the laundry is kept within the inner drum. It is understood that while the drum is rotating during the actual washing of the laundry, there exists a possibility of laundry being expelled from the inner drum. And it is known to provide doors to preclude the laundry from being expelled. All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Re claims 2 and 3, Johnson and Germany'075 each disclose the door not co-rotating, not being pivoted with the drum, and also being moved toward and away from the drum as claimed. Re claim 4, Reeve (as at "d"), Johnson (as at 6) and Germany'075 each disclose the water-impermeable drum as claimed. Re claims 5, 6 and 8, Johnson and Germany'075 each disclose the door being assigned horizontally and being moved toward and away from the drum as claimed. Re claim 9, Johnson (as at 57) discloses the frame and inner door (55).

3. Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view of either Dreher (U. S. Pat. No. 4,835,993) or Germany'116 (Germany 25 22 116).

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Claim 7 defines over the applied prior art only in the recitation of the seal for the door. Dreher (col. 7, lines 21-26) and Germany'116 (see "sealed") each disclose the seal as claimed. It therefore would have been obvious to one having ordinary skill in the art, with predictable results, to modify the system/arrangement of either Reeve or Ryder, to include a seal as taught by either Dreher or Germany'116, with no change in their respective function, for the purpose of preventing the escape of any washing fluids. It is known in the art, especially in wet environments to provide seals to keep liquids in place. All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Re claim 10, Germany'116 discloses a door frame (13), wherein the door including an inner door (10) and the door frame, can be moved to and fro, and the door or the door frame is connected to the door support via a flexible connecting means (see "sealed").

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view of Stockert (U. S. Pat. No. 7,353,832).

Claim 11 defines over the applied prior art only in the recitation of the door and the door support being stationary with the drum housing being moved in a direction toward the door and/or the door support. Stockert (as at 42) is cited disclosing the movable door as claimed. It therefore would have been obvious to one having ordinary skill in the art,

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with predictable results, to modify the system/arrangement of either Reeve or Ryder, to have the drum housing moved as taught by Stockert, with no change in their respective function, for the purpose of opening and closing the drum housing. It is known in the art to open the drum housing in various manners, and to employ one over another is deemed to be a mere matter of design (see MPEP 2144.06 SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE). It is also considered to be a mere reversal of parts in view of the structure of Ryder or Reeve as proposedly modified (see MPEP 2144.04 REVERSAL, DUPLICATION OR RE-ARRANGEMENT OF PARTS). All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view of Southwick et al. (U. S. Pat. No. 4,561,268) or Germany'075), U'916 (Soviet Union 1561916) or France'532 (France 2 313 532).

Claim 12 defines over the applied prior art only in the recitation of the dividing wall including a door and the door being moved to and fro in a perpendicular direction as claimed. Southwick (as at 12), Germany'075 (as at 2), SU'916 (as at 2) and France'532 (as at 4) are all cited disclosing the dividing wall as claimed. It therefore would have been obvious to one having ordinary skill in the art, with predictable results, to modify

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the system/arrangement of either Reeve or Ryder, to include a dividing wall as taught by Southwick, Germany'075, SU'916 or France'532, with no change in their respective function, for the purpose of separating the user environment from the mechanical environment, in an effort to protect the users. As for the to and fro perpendicular movement, attention is directed to SU'916 and France'532. All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

6. Claims 13, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Reeve or Wesley (U. S. Pat. No. 2,343,102) in view of Roh et al. (U. S. Pat. No. 5,327,603).

Re claims 13 and 16, Reeve and Wesely are each cited disclosing a device for wet treatment of laundry, with comprising:

an inner drum ("b" in Reeve and 18 in Wesely) which is rotationally driven about a rotation axis ("c" in Reeve and as at 11 in Wesely) and can pivot about at least one pivot axis ("e" in Reeve and as at 37 in Wesely) extending transversely with respect to the rotation axis and which receives the laundry that is to be treated, the pivot axis of the drum housing having at least one axle journal ("e" in Reeve and 37 in Wesely);

a stationary drum housing ("d" in Reeve and 17 in Wesely) surrounding the inner drum (12); and

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wherein the inner drum and the drum housing surrounding it the inner drum can pivot about the at least one pivot axis into any desired loading positions that differs from the claim only in the recitation of the at least one axle journal of the pivot axis of the drum housing being assigned at least one delivery means for at least one medium for wet treatment of the laundry, and the delivery means is configured as an axial passage for the at least one medium, wherein the at least one delivery means is assigned to the at least one axle journal of the pivot axis of the drum housing. Roh is cited disclosing a device for wet treatment of laundry having at least one axle journal of the pivot axis of the drum housing being assigned at least one delivery means for at least one medium for wet treatment of the laundry, and the delivery means is configured as an axial passage for the at least one medium, wherein the at least one delivery means is assigned to the at least one axle journal of the pivot axis of the drum housing. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of either Reeve or Wesely, to include delivery means as taught by Roh, since the manner of supplying water to the drum is consider to be a mere substitution of equivalents (see MPEP 2144.06 SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE). It is old and well known to employ various means of introducing washing fluids into the drum. All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Re claim 14, it is understood



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that Reeve discloses a manual drive and therefore the entire angle 0 °-90 ° are available, and in Wesely, see page 2, lines 48-68.

7. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Ryder or Miller (U. S. Pat. No. 2,486,668) in view of either Germany'079 (Germany 43 30 079) or Sevensson (U. S. Pat. No. 3,085,420).

Re claims 17 and 19, Ryder and Miller are each cited disclosing a device for wet treatment of laundry, with comprising:

an inner drum (4 in Ryder and 10 in Miller) which is rotationally driven about a rotation axis (40 in Ryder and as at 56 in Miller) and can pivot about at least one pivot axis (as at 24 in Ryder and 49 in Miller) extending transversely with respect to the rotation axis and which receives the laundry that is to be treated;

a stationary drum housing (2 in Ryder and 2 in Miller) surrounding the inner drum and having an opening (8 in Ryder and 68 in Miller) that differs from the claim only in the recitation of the door assigned to the opening of the drum housing, wherein the at least one medium necessary for the wet treatment can be delivered to the inside of the drum housing through the door assigned to the opening of the drum housing. Germany'079 (see fig. 1) and Sevensson (as at 9, 10, 12) are each cited disclosing a door assigned to the opening of the drum housing, wherein the at least one medium necessary for the wet treatment can be delivered to the inside of the drum housing through the door assigned to the opening of the drum housing. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of either Ryder or Miller, to include delivery means as taught by either Germany'079 or Sevensson, since the

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manner of supplying water to the drum is consider to be a mere substitution of equivalents (see MPEP 2144.06 SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE). It is old and well known to employ various means of introducing washing fluids into the drum. All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Re claim 18, Germany'079 and Svensson disclose the door being stationary.

8. Claims 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Reeve or Wesely in view of either Pellerin (U. S. Pat. No. Re 36,688) or Dreher. Re claim 20, Reeve and Wesley are each cited disclosing a method for wet treatment of laundry comprising:

driving an inner drum ("b" in Reeve and 18 in Wesely) in rotation about a rotation axis; loading the inner drum with the laundry or other items that are to be treated and washing and spin-drying the laundry or other items wherein loading is carried out with the rotation axis of the inner drum perpendicular or inclined relative to the perpendicular, that differs from the claim only in the recitation of, during loading, the inner drum is driven in rotation at least intermittently about the rotation axis. Pellerin (col. 1, lines 56-60) and Dreher (col. 8, lines 45-49) are each cited disclosing that, during loading, the inner drum is driven in rotation at least intermittently about the rotation axis. It therefore would have been obvious to one having ordinary skill in the art, with predictable results,

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to modify the system/arrangement of either Reeve or Wesley, to have the drum rotated during loading as taught by either Pellerin or Dreher, with no change in their respective function, for the purpose of initially balancing and/or distributing the load material around the drum. It is understood that at times while loading, the laundry load may be clumped in a general location, and initially provide an out of balance condition. All of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination, (i.e., the combination of known old elements into a single device) would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Re claim 21, no patentable distinction is deemed to exist between the "centrifugal speed of up to 25 g" as claimed and the "relatively slow speed" as taught by Pellerin. Re claims 22-25, no patentable distinction is deemed to exist between the inclinations as claimed, and the corresponding inclinations as taught by either Reeve (manual drive) and Wesely (page 2, lines 48-68).

9. Applicant's arguments with respect to the pending claims and/or the rejection thereof have been considered. The arguments and/or amendments with respect to the claims have been effective in defining over previous Office Action, with the current remarks standing moot in view of the new ground(s) of rejection.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Japan'588, Hart, Gorn, Japan'481, Kwon, Hendren, Malchow et al., Candor, Toth, Gayring, Starr et al., and Zimarik et al., note the wet treatment of fabrics.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/FRANKIE L. STINSON/  
Primary Examiner, Art Unit 1792.